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09/768,570	01/25/2001	Tsutomu Yamazaki	011350.266	3577

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EXAMINER	
CHANKONG, DOHM	
ART UNIT	**PAPER NUMBER**
2154	4

DATE MAILED: 04/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

4

Office Action Summary	Application No.	Applicant(s)	
	09/768,570	YAMAZAKI, TSUTOMU	
	Examiner	Art Unit	
	Dohm Chankong	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 July 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☒ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3, 7/17/01*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 14 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claim 1 is rejected under 35 U.S.C 102(e) as being unpatentable over Fischer, U.S Patent No. 6,470,387.

3. As to claim 1, Fischer teaches a computer connected with a plurality of printers via a network, comprising:

a memory unit for storing distance information from the computer to each printer (column 6, lines 17-36, lines 40-55 and lines 59-66); and

a compensating means for compensating the distance information stored in said memory unit according to a number of times each printer received a printing job from the computer (column 1, lines 62-67, column 3, line 60 to column 4, line 7 and column 7, lines 22-40).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2 and 3 are rejected under 35 U.S.C 103(a) as being unpatentable over Fisher as applied to claim 1 above, in view of Yacoub, U.S Patent No. 6,452, 692.

5. As to claim 2, Fischer does not specifically teach a computer further comprising a display means for displaying a print setup screen in a display format based on an order of priority according to the compensated distance information.

6. Yacoub teaches a computer further comprising a display means for displaying a print setup screen in a display format based on an order of priority according to the compensated distance information (column 15, lines 1-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include in

Fischer a display means to give the user the ability to see which printer is being used for the print job so the user can go to the correct printer to pick up the printouts.

7. As to claim 3, Fischer does not teach a computer further comprising a setup means for automatically setting up a closest printer among the compensated distance information when outputting a printing job from the computer.

8. Yacoub teaches a computer further comprising a setup means for automatically setting up a closest printer among the compensated distance information when outputting a printing job from the computer (column 15, lines 1-18). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Yacoub's automatic selection functionality in Fischer to minimize user interaction and to conveniently select the closest printer based on the user's location (column 15, lines 19-36).

9. Claims 4-10, 12 and 14 are rejected under 35 U.S.C 103(a) as being unpatentable over Yacoub in view of Fischer.

10. As to claim 4, Yacoub teaches an information equipment system comprising:

a plurality of printers and computers connected to a network (Figure 4);

a setup means for setting up an order of priority based on a distance between each printer and each computer between each printer and each computer (column 15, lines 1-18); and

a display means for displaying a printer selection screen in a display format based on the order of priority set up when selecting a printer (column 15, lines 1-36).

Yacoub discloses a setup means for setting priority but not setting priority based on usage frequency.

11. Fischer teaches an information equipment system for determining the usage frequency between each printer and each computer (column 7, lines 22-40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yacoub's setup means to include priority setting functionality based on the usage frequency of the printers by each user/computer so the setup means can select the printer most commonly used by the user.

12. As to claim 5, Yacoub teaches an information equipment system comprising:

a plurality of printers and computers connected to a network (Figure 4);

a setup means for setting up an order of priority based on a distance between each printer and each computer between each printer and each computer (column 15, lines 1-18); and

a selection unit for automatically selecting a printer based on the order of priority set up (column 15, lines 1-36).

Yacoub discloses a setup means for setting priority but not setting priority based on usage frequency.

13. Fischer teaches an information equipment system for determining the usage frequency between each printer and each computer (column 7, lines 22-40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yacoub's setup means to include priority setting functionality based on the usage frequency of the printers by each user/computer so the setup means can select the printer most commonly used by the user.

14. As to claim 6, Yacoub teaches a method of allowing a computer to control a printer to output a printing job in a system where a plurality of printers and computers are connected via a network (abstract), comprising the steps of:

obtaining a distance information from each computer to each printer (column 6, lines 25-48);

setting up an order of priority for the printers based on the compensated distance information (column 15, lines 1-18).

Yacoub does not teach a method with the step of compensating the obtained distance information according to a number of times each printer received a printing job from each computer.

15. Fischer teaches a method of compensating distance information according to a number of times each printer received a printing job from each computer (column 6, lines 20-26 and lines 59-66 and column 8, lines 20-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Fischer's method of compensating distance information according to user frequency as it would

increase the accuracy of determining which printer should be used by each user, based on both distance and usage criteria (column 4, lines 5-7).

16. As to claim 7, Yacoub teaches a method further comprising a step of displaying a printer selection screen according to the order of priority set up (column 15, lines 12-18 and lines 22-33).

17. As to claim 8, Yacoub teaches a method of allowing a computer to control a printer to output a printing job in a system where a plurality of printers and computers are connected via a network (abstract), comprising the steps of:

obtaining a distance information from each computer to each printer (column 6, lines 25-48);

selecting a printer to be used for outputting a printing job from a plurality of printers based on the compensated distance information (column 15, lines 1-18).

Yacoub does not teach a method with the step of compensating the obtained distance information according to a number of times each printer received a printing job from each computer.

18. Fischer teaches a method of compensating distance information according to a number of times each printer received a printing job from each computer (column 6, lines 20-26 and lines 59-66 and column 8, lines 20-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Fischer's method of compensating distance information according to user frequency as it would

increase the accuracy of determining which printer should be used by each user, based on both distance and usage criteria (column 4, lines 5-7).

19. As to claim 9, Yacoub teaches an information equipment system where a plurality of pieces of information equipment are connected via a network (abstract), comprising:

a memory unit for storing position information that represents a physical position of each piece of information equipment (column 6, lines 25-46).

Yacoub teaches a compensating means for compensating a physical distance from one piece of information equipment to another piece of information equipment based on the position information (column 6, lines 25-46) but not according to a frequency of information exchange between the former and the latter.

20. Fischer teaches a compensating means for compensating a physical distance according to a frequency of information exchange between the former and the latter (column 6, line 59 to column 7, line 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to refashion Yacoub's compensating means to take into account the frequency of information exchange between two pieces of equipment as the frequency of usage is a good barometer to determine the physical proximity of the equipment.

21. As to claim 10, Yacoub teaches an information equipment system in which said information equipment includes a printing job transmission device for

transmitting a printing job, said memory unit and said compensating means are provided in said printing job transmission device, and the transmitted printing job is executed by said printing device that is ready to print and closest to said printing job transmission device based on the distance after the compensation (abstract, column 2, lines 45-54, column 6, lines 25-48, and column 12, lines 21-45).

22. As to claim 12, Yacoub teaches an infomration equipment system in which said information equipment includes a printing job transmission device for transmitting a printing job and a printing device for executing the printing job, said memory unit and said compensating means are provided in said printing job transmission device, and said information equipment system further comprises an instruction unit with which a user can select a printing device (abstract, column 5, line 66 to column 7, line 12, column 15, lines 22-34 – where the server is the instruction unit and the user is given the choice of waiting between two printers; if he waits, he chooses the first printer, if he decides not to wait, he selects the second printer).

23. Claim 14 is a computer readable recording medium which performs the actions of the information equipment system of claim 9. Therefore, claim 14 is rejected for the same reasons set forth in above paragraphs 19 and 20 for claim 9.

24. Claim 13 is rejected under 35 U.S.C 103(a) as being unpatentable over Yacoub and Fischer as applied to claim 9, in further view of Yacoub (hereinafter Yacoub(2)), U.S Patent No. 6,552,813.

25. Yacoub teaches an information equipment system in which said information equipment includes a printing job transmission device for transmitting a printing job, said memory unit and said compensating means are provided in said printing device (abstract, column 4, lines 34-43, column 5, line 66 to column 6, line 48 – where the virtual printer is the printing device).

26. Yacoub(2) teaches an information equipments system comprising if an error occurs in said printing device that causes troubles in printing operation, said error information shall be issued to a printing job transmission device that is ready to receive information and is closest to said printing device based on the distance after the compensation (column 9, lines 2-6 and lines 41-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yacoub's system to include the error functionality implemented in Yacoub(2) to alert the transmission device of the error and allow the selection of another printing device.

27. Claim 11 is rejected under 35 U.S.C 103(a) as being unpatentable over Yacoub and Fischer as applied to claim 9 above, in further view of Dmitri et al (hereinafter Dmitri) U.S Patent No. 6,351,685.

28. Yacoub teaches an information equipment system in which said information equipment includes a printing job transmission device for transmitting a printing job and a printing device for executing the printing job, and a printing device, which is

ready to print and closest to a printing job transmission device that transmitted a printing job based on the distance after the compensation (abstract, column 11, lines 20-39).

Yacoub teaches messaging functionality, a printing device, a printing job transmission device and distance checking functionality (abstract, column 15, lines 1-18 and lines 31-34) but does not teach if the printing device is more distant than a specified threshold value from said printing job transmission device, a message stating said printing device is too far is issued to said printing job transmission device.

29. Dmitri teaches if a device is more distant than a specified threshold value from said transmission device (column 13, lines 28-35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yacoub to include Dmitri's threshold distance functionality to properly ascertain whether or not the printer is in the right location in relation to the printing job transmission device.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art in regards to information equipment systems:

U.S Patent No. 5,611,050 to Theimer et al;

U.S Patent No. 6,721,818 to Nakamura.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is (703)305-8864. The examiner can normally be reached on 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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